

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SYED K. RAFI PHD,

Plaintiff,

v.

HARVARD UNIVERSITY MEDICAL SCHOOL,  
BRIGHAM AND WOMEN'S HOSPITAL,  
CYNTHIA MORTON PHD, RICHARD MAAS MD  
PHD, MASSACHUSETTS GENERAL HOSPITAL,  
MARCY MACDONNALD PHD, CHILDREN'S  
HOSPITAL BOSTON, and MIRA IRONS MD

Defendants.

Civil Action No.: 20-CV-10038

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1331(a), and 1446 and Local Rule 81.1, defendant Boston Children's Hospital ("Children's") hereby seeks removal of the civil action captioned Syed K. Rafi, PhD v. Harvard University Medical School, et al. (the "Action"), from the Suffolk Superior Court Department of the Trial Court of the Commonwealth of Massachusetts to the United States District Court for the District of Massachusetts. Removal is based upon the following:

1. This Notice of Removal is timely under 28 U.S.C. § 1446. Children's received service of the complaint no earlier than December 20, 2019.
2. A true and accurate copy of the civil action cover sheet and complaint are attached as Exhibit A and constitute all pleadings and orders filed in the Action. Certified or attested copies of all records and proceedings in the state court and a certified or attested copy of all docket entries in the state court will be provided to this Court pursuant to Local Rule 81.1.

3. This Court possesses original federal question jurisdiction over this civil action pursuant to 28 U.S.C. § 1331. The Complaint purports to state claims under federal statutes, namely 42 U.S.C. § 1985 and 42 U.S.C. § 1986. Pursuant to 28 U.S.C. §1441(a), the defendants may remove these federal claims to this Court.

4. Venue in this District is proper pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1391.

5. As of the time of this filing, the only defendant other than Children's known to Children's to have received service of process in this case is Harvard University Medical School ("Harvard").<sup>1</sup> Pursuant to 28 U.S.C. § 1446(b)(2)(A), Children's states that Harvard, through counsel, has represented that it consents to removal of this action.

6. To the best of Children's knowledge as of the time of this filing, all other defendants have not yet been served. They have all represented, individually or through counsel, that they will not object to removal.

7. Children's will promptly provide written notice of the filing of this Notice of Removal to all adverse parties and with the clerk of the Suffolk Superior Court pursuant to 28 U.S.C. §1446(d).

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<sup>1</sup> Harvard's correct legal name is President and Fellows of Harvard College.

Respectfully submitted,

BOSTON CHILDREN'S HOSPITAL,

By its attorneys,

/s/ Amy E. Serino  
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Date: January 9, 2020

#### CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the NEF (NEF) and paper copies will be sent to those indicated as non-registered participants on January 9, 2020.

/s/ Amy E. Serino  
Amy E. Serino